

ASSEMBLY BILL

No. 1950

Introduced by Assembly Member Brownley

February 17, 2010

An act to amend Section 47614.5 of the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 1950, as introduced, Brownley. Charter School Facility Grant Program.

Existing law establishes the Charter School Facility Grant Program and requires the State Department of Education to administer the program. Existing law declares that the intent of the program is to provide assistance with facilities rent and lease costs for pupils in charter schools.

This bill would make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 47614.5 of the Education Code is
2 amended to read:
3 47614.5. (a) The Charter School Facility Grant Program is
4 hereby established and shall be administered by the department.
5 The grant program is intended to provide assistance with facilities
6 rent and lease costs for pupils in charter schools.

(b) Subject to the annual Budget Act, eligible schools shall receive an amount of up to, but not more than, seven hundred fifty dollars (\$750) per unit of average daily attendance, as certified at the second principal apportionment, to provide an amount of up to, but not more than, 75 percent of the annual facilities rent and lease costs for the charter school. In any fiscal year, if the funds appropriated for the purposes of this section by the annual Budget Act are insufficient to fund the approved amounts fully, the Superintendent shall apportion the available funds on a pro rata basis.

(c) For purposes of this section, the department shall do all of the following:

(1) Inform charter schools of the grant program.

(2) Upon application by a charter school, determine eligibility, based on the geographic location of the charter schoolsite, pupil eligibility for free or reduced price meals, and a preference in admissions, as appropriate. Eligibility for funding shall not be limited to the grade level or levels served by the school whose attendance area is used to determine eligibility. Charter schoolsites are eligible for funding pursuant to this section if the charter schoolsite meets either of the following conditions:

(A) The charter schoolsite is physically located in the attendance area of a public elementary school in which 70 percent or more of the pupil enrollment is eligible for free or reduced priced meals and the schoolsite gives a preference in admissions to pupils who are currently enrolled in that public elementary school and to pupils who reside in the elementary school attendance area where the charter schoolsite is located.

(B) Seventy percent or more of the pupil enrollment at the charter schoolsite is eligible for free or reduced price meals.

(3) Inform charter schools of their grant eligibility.

(4) Allocate funding to charter schools for eligible expenditures in a timely manner.

~~(5) No later than June 30, 2005, report to the Legislature on the number of charter schools that have participated in the grant program pursuant to the expanded eligibility prescribed in paragraph (2). In addition, the report shall provide recommendations and suggestions on improving the grant program.~~

(d) Funds appropriated for purposes of this section shall not be apportioned for any of the following:

1 (1) Units of average daily attendance generated through
2 nonclassroom-based instruction as defined by paragraph (2) of
3 subdivision ~~(d)~~ (e) of Section 47612.5 or that does not comply
4 with conditions or limitations set forth in regulations adopted by
5 the state board pursuant to this section.

6 (2) Charter schools occupying existing school district or county
7 office of education facilities.

8 (3) Charter schools receiving reasonably equivalent facilities
9 from their chartering authority pursuant to Section 47614.

10 (e) Funds appropriated for purposes of this section shall be used
11 for costs associated with facilities rents and leases, consistent with
12 the definitions used in the California School Accounting Manual.
13 These funds also may be used for costs, including, but not limited
14 to, costs associated with remodeling buildings, deferred
15 maintenance, initially installing or extending service systems and
16 other built-in equipment, and improving sites.

17 (f) If an existing charter school located in an elementary
18 attendance area in which less than 50 percent of pupil enrollment
19 is eligible for free or reduced price meals relocates to an attendance
20 area identified in paragraph (2) of subdivision (c), admissions
21 preference shall be given to pupils who reside in the elementary
22 school attendance area into which the charter school is relocating.

23 (g) The Superintendent annually shall report to the state board
24 regarding the use of funds that have been made available during
25 the fiscal year to each charter school pursuant to the grant program.

26 (h) It is the intent of the Legislature that not less than eighteen
27 million dollars (\$18,000,000) annually be appropriated for purposes
28 of the grant program on the same basis as other elementary and
29 secondary education categorical programs.

30 (i) Commencing with the 2009–10 fiscal year, the
31 Superintendent shall annually allocate the facilities grants to
32 eligible charter schools no later than October 1 of each fiscal year.
33 However, the department shall first use the funding appropriated
34 for this program in the 2009–10 fiscal year to reimburse eligible
35 charter schools for rent or lease costs for the 2008–09 fiscal year,
36 consistent with this section as it read on June 30, 2009.